

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Dana D. Jackson,

Civ. No. 19-2326 (NEB/BRT)

Plaintiff,

v.

**REPORT AND
RECOMMENDATION**

Plaza Services, LLC,

Defendant.

In an Order dated December 20, 2019, this Court ordered Plaintiff Dana D. Jackson to “submit a document . . . explaining why venue [for this action] is appropriate in the District of Minnesota.” (*See* Doc. No. 16, 12/20/19 Ord. 2.) Jackson was given until January 10, 2020, to submit this document, failing which it would be recommended that this action be dismissed without prejudice for failure to prosecute. (*See id.*); Fed. R. Civ. P. 41(b).

That deadline has now passed, and Jackson has not submitted a document explaining why venue for this action is appropriate in this District. Accordingly, this Court now recommends, in accordance with its prior Order, that this action be dismissed without prejudice under Rule 41(b) for failure to prosecute. *See Henderson v. Renaissance Grand Hotel*, 267 F. App’x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff’s failure

to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.”).

RECOMMENDATION

Based upon the foregoing, and on all of the files, records, and proceedings herein,
IT IS HEREBY RECOMMENDED that this action be **DISMISSED WITHOUT
PREJUDICE** under Federal Rules of Civil Procedure 41(b) for failure to prosecute.

Dated: January 28, 2020

s/ Becky R. Thorson
BECKY R. THORSON
United States Magistrate Judge